

REMARKS

The Examiner has set a shortened statutory period for response to this communication to expire one (1) month from the mailing date of the communication, making Applicants' response due by December 9, 2007.

In the Office Communication, claims 1-14 were pending. The Examiner has taken the position that the application claims three independent and distinct inventions, which have been grouped as follows:

- Group I. claim 1 (in part), 2 and 3-14 (in part), drawn to pyrazino ring fused to pyridine (i.e. W and Z are N and the other two are CR8);
- Group II. claim 1 (in part) and 3-14 (in part), drawn to pyridazino ring fused to pyridine (i.e. W and X are N and the other two are CR8); and
- Group III. Claim 1 (in part) and 3-14 (in part), drawn to others (i.e. X and Y = N or Y and Z = N).

Pursuant to 35 U.S.C. § 121, the Examiner has required that Applicants elect between the inventions listed as Groups I-III. Accordingly, Applicants elect to proceed with Group I, claim 1 (in part), 2 and 3-14 (in part), drawn to pyrazino ring fused to pyridine (i.e. W and Z are N and the other two are CR8). Applicants reserve the right to file one or more divisional applications directed to the subject matter of claims that are ultimately cancelled as a result of the Examiner's requirement.

Applicants believe that this communication is fully responsive to the Office Communication and that no new fees are due. However, the Commissioner is authorized to debit any applicable fees from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

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